



COLORADO
Division of Water Resources
Department of Natural Resources

Water Division 5 - Main Office
P.O. Box 396
Glenwood Springs, CO 81602

February 20, 2019

Chair Mountain Ranch HOA, Filing 1
c/o Dan Smith – President of Chair Mountain Ranch HOA, Filing 1
Sent via email to: dansmith.colorado@gmail.com

Bob Raymond
Owner of Treasure Mountain Lake
Sent via email to: oroporplata1@gmail.com

RE: Notice of Deficiencies for Chair Mountain Ranch HOA, Filing 1

Mr. Smith & Mr. Raymond,

Thank you for meeting Jake DeWolfe and I for a field visit of Treasure Mountain Lake on October 19, 2018. I apologize for the tardiness of this follow-up correspondence, as I was out of the office on maternity leave. The field visit was very beneficial in clearing up some of our questions about Treasure Mountain Lake.

The Division of Water Resources has identified some potential issues in regards to water rights administration and augmentation plan accounting for the Chair Mountain Ranch HOA, Filing 1.

- It appears that there is not sufficient infrastructure in the Treasure Mountain Lake to make replacements to the Crystal River on behalf of the Chair Mountain Ranch HOA, Filing 1. In order to utilize the Treasure Mountain Lake as an augmentation source, you must have sufficient infrastructure to control the water stored in the pond, bypass inflows and make augmentation releases to the Crystal River in the event of a downstream call. You must also have a staff gauge and corresponding stage capacity table suitable for administration. Please remedy this situation in order to ensure that your augmentation plan is operational.

In the event that the Treasure Mountain Lake is unable to be utilized as an augmentation source, an alternate source must be secured and an application must be made to the Division 5 Water Court to amend the augmentation plan decreed in 89CW105.

Please indicate in writing by April 15, 2019 of your intentions to address the abovementioned issues for the Chair Mountain Ranch HOA, Filing 1. If you have any questions, please feel free to contact me at 970-945-5665, Ext 5023.

Sincerely,

Melissa Behlow

Melissa Behlow
Municipal Accounting Technician
Division of Water Resources – Division 5

cc: Jake DeWolfe via email Jake.Dewolfe@state.co.us
Edward Rubin via email Edward.Rubin@state.co.us
Caleb Foy via email Caleb.Foy@state.co.us





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Glenwood Springs, CO 81602

March 13, 2019

Chair Mountain Ranch HOA, Filing 2
C/O: Ernie Bradley

Sent via email to: ebradley43@gmail.com

RE: Notice of Out of Priority Diversion, Chair Mountain Ranch HOA, Filing 2 – Alternate Well No. 1 (3805947)

To Whom It May Concern,

The Division of Water Resources has identified your water right decreed in 79CW0199 and permitted under Well Permit No. 81173-F, as being out of priority in 2018 due to the administration of a senior irrigation call on the Crystal River and its tributaries. The call period was 8/8/2018-8/23/2018 and 9/12/2018-9/28/2018. The call was administered with the bypass priority at the Sweet Jessup Canal, administrative number 20239.19006. It also appears that your water right is historically out-of-priority each year due to a Grand Valley Call on the Colorado River.

While flows this year were exceptionally low, it is still reasonable to assume that this administration scenario could happen more frequently in the future. Chair Mountain Ranch HOA, Filing 2 should consider a plan of augmentation which provides replacement water when its rights are out of priority. In times of a call, without a plan of augmentation, you are subject to curtailment of all diversions with our office forced to act pursuant to Colorado Revised Statutes, Section 37-90-110(1)(d) and issue a cease and desist order for the subject well.

If you would like copies of the aforementioned water court decrees and/or well permits, please visit our website at www.state.co.us and download them off of Laserfiche Weblink.

Please indicate in writing by April 15th, 2019 of your intentions to address this issue and confirmation of receipt of this notice. If you have any questions, please feel free to contact me at melissa.behlow@state.co.us or 970-945-5665 x 5023.

Sincerely,

Melissa Behlow

Melissa Behlow
Municipal Accounting Technician
Division of Water Resources – Division 5

Cc: Jake DeWolfe via email jake.dewolfe@state.co.us
Eddie Rubin via email edward.rubin@state.co.us
Caleb Foy via email caleb.foy@state.co.us





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Glenwood Springs, CO 81602

February 25, 2019

Crystal View Heights HOA
C/O: Bill Blanton

Sent via email to: bblanton@masonmorse.com

RE: Notice of Out of Priority Diversion, Crystal View Heights, Filing 1 – Brewer Well No. 1 (81830-F)

To Whom It May Concern,

The Division of Water Resources has identified your water rights decreed in W0376, as being out of priority in 2018 due to administration of a senior irrigation call on the Crystal River and its tributaries. The call period was 8/8/2018-8/23/2018 and 9/12/2018-9/28/2018. The call was administered with the bypass priority at the Sweet Jessup Canal, administrative number 20239.19006.

While flows this year were exceptionally low, it is still reasonable to assume that this administration scenario could happen more frequently in the future. Crystal View Heights HOA should consider a plan of augmentation which provides replacement water when its rights are out of priority. In times of a call, without a plan of augmentation, you are subject to curtailment of all diversions with our office forced to act pursuant to Colorado Revised Statutes, Section 37-90-110(1)(d) and issue a cease and desist order for the subject well.

If you would like copies of the aforementioned water court decrees and/or well permits, please visit our website at www.state.co.us and download them off of Laserfiche Weblink.

Please indicate in writing by April 1st, 2019 of your intentions to address this issue and confirmation of receipt of this notice. If you have any questions, please feel free to contact me at jake.dewolfe@state.co.us or 970-355-4787.

Sincerely,

Jake DeWolfe
Water Commissioner District 38
Division of Water Resources – Division 5

Cc: Crystal View Heights HOA via email bblanton@masonmorse.com
Eddie Rubin via email edward.rubin@state.co.us





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P.O. Box 396
Glenwood Springs, CO 81602

February 25, 2019

Crystal View Heights HOA- Filing 2
C/O: Jacob Koski

Sent via email to: jacobkoski@gmail.com

RE: Notice of Out of Priority Diversion, Crystal View Heights, Filing 2 – Brewer Well No. 2 (46520)

To Whom It May Concern,

The Division of Water Resources has identified your water rights decreed in W0376, as being out of priority in 2018 due to administration of a senior irrigation call on the Crystal River and its tributaries. The call period was 8/8/2018-8/23/2018 and 9/12/2018-9/28/2018. The call was administered with the bypass priority at the Sweet Jessup Canal, administrative number 20239.19006.

While flows this year were exceptionally low, it is still reasonable to assume that this administration scenario could happen more frequently in the future. Crystal View Heights HOA should consider a plan of augmentation which provides replacement water when its rights are out of priority. In times of a call, without a plan of augmentation, you are subject to curtailment of all diversions with our office forced to act pursuant to Colorado Revised Statutes, Section 37-90-110(1)(d) and issue a cease and desist order for the subject well.

If you would like copies of the aforementioned water court decrees and/or well permits, please visit our website at www.state.co.us and download them off of Laserfiche Weblink.

Please indicate in writing by April 1st, 2019 of your intentions to address this issue and confirmation of receipt of this notice. If you have any questions, please feel free to contact me at jake.dewolfe@state.co.us or 970-355-4787.

Sincerely,

Jake DeWolfe
Water Commissioner District 38
Division of Water Resources – Division 5

Cc: Crystal View Heights HOA via email jacobkoski@gmail.com
Eddie Rubin via email edward.rubin@state.co.us





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Department of Natural Resources

Water Division 5 - Main Office
P.O. Box 396
Glenwood Springs, CO 81602

February 26, 2019

Crystal River Resort, LLC
C/O: Ray Nielsen
PO Box 5050
Eagle, CO 81631

RE: Notice of Out of Priority Diversion, Foster BRB Well (4112-F)

To Whom It May Concern,

The Division of Water Resources has identified your water rights decreed in W1012 as being out of priority in 2018 due to administration of a senior irrigation call on the Crystal River and its tributaries. The call period was 8/8/2018-8/23/2018 and 9/12/2018-9/28/2018. The call was administered with the bypass priority at the Sweet Jessup Canal, administrative number 20239.19006.

While flows this year were exceptionally low, it is still reasonable to assume that this administration scenario could happen more frequently in the future. Crystal River Resort should consider a plan of augmentation which provides replacement water when its rights are out of priority. In times of a call, without a plan of augmentation, you are subject to curtailment of all diversions with our office forced to act pursuant to Colorado Revised Statutes, Section 37-90-110(1)(d) and issue a cease and desist order for the subject well.

If you would like copies of the aforementioned water court decrees and/or well permits, please visit our website at www.state.co.us and download them off of Laserfiche Weblink.

Please indicate in writing by April 1st, 2019 of your intentions to address this issue and confirmation of receipt of this notice. If you have any questions, please feel free to contact me at jake.dewolfe@state.co.us or 970-355-4787.

Sincerely,

Jake DeWolfe
Water Commissioner District 38
Division of Water Resources – Division 5

Cc: Eddie Rubin via email edward.rubin@state.co.us





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Department of Natural Resources

Water Division 5 - Main Office
P.O. Box 396
Glenwood Springs, CO 81602

November 20, 2018

Marble Water Company
C/O: John Williams

Sent via email to: thetusconwilliamsfamily@gmail.com

RE: Notice of Out of Priority Diversion, Marble Water Company – Marble Water Company Well and Marble Water Company Well No. 2 (25893-F and 49103-F)

To Whom It May Concern,

The Division of Water Resources has identified your water rights decreed in 79CW0361 & 94CW0117, as being out of priority in 2018 due to administration of a senior irrigation call on the Crystal River and its tributaries. The call period was 8/8/2018-8/23/2018 and 9/12/2018-9/28/2018. The call was administered with the bypass priority at the Sweet Jessup Canal, administrative number 20239.19006.

While flows this year were exceptionally low, it is still reasonable to assume that this administration scenario could happen more frequently in the future. The Marble Water Company should consider a plan of augmentation which provides replacement water when its rights are out of priority. In times of a call, without a plan of augmentation, you are subject to curtailment of all diversions with our office forced to act pursuant to Colorado Revised Statutes, Section 37-90-110(1)(d) and issue a cease and desist order for the subject well.

If you would like copies of the aforementioned water court decrees and/or well permits, please visit our website at www.state.co.us and download them off of Laserfiche Weblink.

Please indicate in writing by January 1st, 2019 of your intentions to address the abovementioned issue for Marble Water Company Wells. If you have any questions, please feel free to contact me at jake.dewolfe@state.co.us or 970-355-4787.

Sincerely,

Jake DeWolfe
Water Commissioner District 38
Division of Water Resources – Division 5

Cc: Ron Leach Via email leach@townofmarble.com
Eddie Rubin via email edward.rubin@state.co.us
Vicki Devine via email vicki.devine@state.co.us





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Glenwood Springs, CO 81602

February 25, 2019

Seven Oaks Commons CO
C/O: John Masters
772 Seven Oaks Rd
Redstone, CO 81623

RE: Notice of Out of Priority Diversion, Seven Oaks Commons Wells No. 1 & 2 (39553 & 27009-F)

To Whom It May Concern,

The Division of Water Resources has identified your water rights decreed in W2159 & 84CW030, as being out of priority in 2018 due to administration of a senior irrigation call on the Crystal River and its tributaries. The call period was 8/8/2018-8/23/2018 and 9/12/2018-9/28/2018. The call was administered with the bypass priority at the Sweet Jessup Canal, administrative number 20239.19006.

While flows this year were exceptionally low, it is still reasonable to assume that this administration scenario could happen more frequently in the future. Seven Oaks Commons CO should consider a plan of augmentation which provides replacement water when its rights are out of priority. In times of a call, without a plan of augmentation, you are subject to curtailment of all diversions with our office forced to act pursuant to Colorado Revised Statutes, Section 37-90-110(1)(d) and issue a cease and desist order for the subject well.

If you would like copies of the aforementioned water court decrees and/or well permits, please visit our website at www.state.co.us and download them off of Laserfiche Weblink.

Please indicate in writing by April 1st, 2019 of your intentions to address this issue and confirmation of receipt of this notice. If you have any questions, please feel free to contact me at jake.dewolfe@state.co.us or 970-355-4787.

Sincerely,

Jake DeWolfe
Water Commissioner District 38
Division of Water Resources – Division 5

Cc: Eddie Rubin via email edward.rubin@state.co.us

